

## AFFIDAVIT OF SELLER'S GAIN

\_\_\_\_\_  
Seller's Name

\_\_\_\_\_  
Seller's Identification Number (SSN or FEI)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Spouse's Identification Number (if jointly owned)

\_\_\_\_\_  
Street Address

### INSTRUCTIONS

The seller is required to execute this form or a similar document and present it to the buyer when the seller wishes to establish the gain to be recognized from a sale of real property, against which gain the withholding imposed by O.C.G.A. Section 48-7-128 is to be applied. In order to be subject to withholding only upon the gain recognized, the seller must submit this affidavit to the buyer. If a payment is due, the buyer must submit this form along with the withholding return to the Department of Revenue. A copy is not required to be submitted to the Department when no withholding tax is due, unless specifically requested by the Department.

The seller is to complete this document by calculating the gain below. The seller should retain the documentation of the cost basis, depreciation, and selling expenses claimed. This documentation should only be provided to the Department when requested.

- |   |          |
|---|----------|
| 1. SALES PRICE  | \$ _____ |
| 2. COST BASIS INCLUDING IMPROVEMENTS                    | \$ _____ |
| 3. DEPRECIATION   | \$ _____ |
| 4. ADJUSTED COST BASIS (line 2 minus line 3)            | \$ _____ |
| 5. SELLING EXPENSES                                     | \$ _____ |
| 6. NET TAXABLE GAIN (LOSS) (line 1 minus lines 4 and 5) | \$ _____ |

Under penalties of perjury, I swear that the above information is to the best of my knowledge and belief, true, correct, and complete.

\_\_\_\_\_  
Seller's Signature (and Title, if applicable)

\_\_\_\_\_  
Date

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_  
Notary public  
My commission expires \_\_\_\_\_